

EXHIBIT B

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99

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2 relates to how many patients are seen?

3 A. I would never equate performance to
4 the number of patients seen.

5 Q. What do you look at when determining
6 whether someone, whether a doctor is performing
7 well or not well?

8 A. It depends on the doctor and what they
9 were hired to do.

10 Q. Let's focus on rheumatologists hired
11 exclusively to see patients.

12 What would go into your determination as to
13 whether the doctor is performing or not?

14 A. In the scenario you just gave, if they
15 were hired to see patients, I would base their
16 performance on their ability to see patients,
17 their volume of patients.

18 Q. What metric, if any, do you look at
19 when reviewing doctors who exclusively see
20 patients?

21 MR. STEER: Objection as to form.

22 A. For purposes of compensation, we look
23 at their RVUs.

24 Q. Can you describe what an RVU is?

25 A. An RVU is a term that is relative

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100

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2 value unit. It's set up by the Medicare system
3 to measure physician productivity. It's the
4 national standard for physician productivity,
5 and it's calculated using a complex formula
6 that's established by Medicare, which is based
7 on the volume of CPT codes that a physician
8 bills.

9 Q. You referenced something called a CPT
10 code.

11 What does CPT stand for?

12 A. It's the unit of measure that
13 translates to a service the physician provides.

14 Q. And CPT is an acronym, is it not?

15 A. It is.

16 Q. And do you know what CPT stands for?

17 A. I don't know what the C stands for
18 anymore, but procedural terminology is what the
19 P and the T stand for.

20 Q. And this is something that you would
21 have learned in grad school when you went to get
22 your health administration --

23 A. No. I learned this long before grad
24 school.

25 Q. Where did you learn this?

CONFIDENTIAL

132

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2 and the medical director of the practice are all
3 the clinical judgment I need to make a decision
4 like we made.

5 Q. So the answer to my question, then, so
6 a no; correct?

7 A. The answer to your question is no.

8 Q. I did not ask you what you need;
9 correct? I just asked you whether you had any
10 other information; correct?

11 MR. STEER: That's not what you
12 asked him, but ask him a question,
13 please.

14 Q. Are you aware as to whether
15 Dr. Edelman was ever disciplined for anything
16 prior to these issues being raised to you?

17 A. She had been counseled for behavioral
18 issues. I do not know about her clinical --
19 about who spoke to her about her clinical
20 performance.

21 Q. What knowledge do you have about
22 Dr. Edelman being counseled on behavioral
23 issues?

24 A. I don't recall.

25 Q. Did you personally counsel her on

CONFIDENTIAL

133

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2 behavioral issues?

3 A. I believe I did.

4 Q. What do you remember about that?

5 A. Not much, other than telling her that
6 she had them and she needed to improve.

7 Q. In counseling her on that issue, do
8 you recall telling her she should smile more?

9 A. I don't recall saying that, but if she
10 was being rude to people I would have told her
11 she should be more pleasant, but I don't recall
12 the specifics.

13 Q. Dr. Edelman is no longer employed at
14 NYU; correct?

15 A. Is this Dr. Edelman at NYU? I didn't
16 understand the question.

17 Q. Is Dr. Edelman still currently
18 employed at NYU?

19 A. I don't believe so. I don't know what
20 her last date was.

21 Q. Is it accurate to state that
22 Dr. Edelman was issued a notice of nonrenewal on
23 December 1st, 2020?

24 A. I don't know the date.

25 Q. Was the decision not to renew

CONFIDENTIAL

281

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A. Rubin

[REDACTED]

MR. STEER: Objection to form.

A I wouldn't call anything a common occurrence in our business. There are reasons why we would adjust someone's compensation up or down.

Q [REDACTED]

[REDACTED]

[REDACTED]; do you see that?

A I do.

Q What would cause a doctor to have such a significant increase in their WRVU base?

MR. STEER: Objection to form.

A Probably because they were generating that RVU level. Which could possibly explain why we adjusted his salary up.

Q What is the correlation between a doctor's salary and their WRVU base?

A I don't fully understand the question. I'm sorry.

Q Is there any correlation or relationship between what a doctor is paid and their RVU base?

MR. STEER: Objection to form.

A Every doctor is paid a salary and every doctor has a RVU target. So there is a correlation